

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KMI ZEOLITE, INC. et al.,

Plaintiff(s),

v.

UNITED STATES DEPARTMENT OF THE
INTERIOR, et al.,

Defendant(s).

Case No. 2:15-CV-2038 JCM (NJK)

ORDER

Presently before the court is the parties' joint motion to continue stay and a joint status report. (ECF No. 179).

The instant action was first stayed on May 8, 2019, pending the performance of the settlement agreement. (ECF No. 174). Then, on June 26, 2019, the court adopted Magistrate Judge Koppe's report and recommendation, granted Nye County's motion to enforce settlement, and dismissed defendant Nye County with prejudice. (ECF No. 175).

With no action in this case being taken for eight months, the court ordered the parties to file a motion or status report. (ECF No. 176). In a February 26, 2020, joint status report, the parties indicated that performance of their settlement agreement was ongoing and requested that the court keep these consolidated cases pending as administratively stayed matters. (ECF No. 177). The court granted the request. (ECF No. 178).

The parties now ask the court to continue the administrative stay in order to consummate the sale of the property involved or for the settlement agreement to become null and void. (ECF No. 179 at 1–2). The parties have made considerable progress in performing the settlement

1 agreement. (*Id.* at 2). The BLM has worked “to process the request for the sale of the parcels and
2 has been conducting its due diligence” but has been impeded by the coronavirus shutdown. (*Id.*).

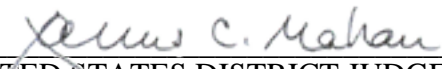
3 Accordingly,

4 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that this action shall remain
5 administratively stayed until 5:00 p.m. on Friday, January 8, 2021, pending the parties’
6 performance of the settlement agreement.

7 IT IS FURTHER ORDERED that, if the settlement is not fully performed, the parties shall
8 file a motion requesting a continuance of the administrative stay and explaining the status of the
9 sale before 5:00 p.m. on Friday, January 8, 2021.

10 IT IS FURTHER ORDERED that the parties shall file a motion to lift the stay and a notice
11 of dismissal within 14 days of performance of the settlement agreement.

12 DATED September 10, 2020.

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UNITED STATES DISTRICT JUDGE